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New York

President: Mr. Essy ..... (Côte d'Ivoire)

In the absence of the President, Mr. Shah (India), took the Chair.

The meeting was called to order at 10.40 a.m.

Tribute to the memory of Mr. Leopoldo Benites, President of the twenty-eighth session of the General Assembly

The President: Before we take up the items on our agenda this morning, it is my sad duty to inform members of the Assembly of the death of His Excellency Mr. Leopoldo Benites of Ecuador, which occurred on 7 March.

Mr. Benites was President of the twenty-eighth session of the General Assembly, and Permanent Representative of Ecuador to the United Nations from 1960 to 1975. He played a prominent role in this Organization and made a major contribution towards the achievement of the objectives set out in the Charter.

On behalf of the General Assembly, I should like to convey to the members of the family of Mr. Leopoldo Benites and to the Government and the people of Ecuador our deepest and most heartfelt condolences.

I now invite representatives to stand and observe a minute of silence in tribute to the memory of Leopoldo Benites.

The members of the General Assembly observed a minute of silence.

The President: I now call on the representative of Ecuador.

Mr. Valencia Rodríguez (Ecuador) (*interpretation from Spanish*): Allow me, on behalf of the Government of Ecuador, the family of Ambassador Leopoldo Benites and the Permanent Mission, to thank you, Mr. President, for the words you have just said in memory of my illustrious compatriot, who died a short time ago in Guayaquil.

Leopoldo Benites was an eminent Ecuadorian who excelled in many fields, particularly in journalism, debate, teaching, historical research and diplomacy. He served as Permanent Representative of Ecuador to the United Nations from 1960 to 1975, and I had the honour of being one of his closest collaborators. He was outstanding in the performance of his functions. He also distinguished himself as a member and President of the Security Council in 1960, Chairman of the Special Political Committee in 1962, Chairman of the First Committee in 1966 and President of the General Assembly in 1973 and 1974. He was Secretary-General of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean. He represented Ecuador in many countries, including Bolivia, Uruguay, Argentina and Mexico.

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Don Leopoldo's kindness and his way with people were proverbial, and widely appreciated by those who passed through the halls and corridors of this Organization.

Many thanks, therefore, Mr. President, for what you have so kindly said about this outstanding Ecuadorian statesman.

I should like to take this opportunity, as the representative of the host country, to express our condolences to the family of Ambassador Leopoldo Benites and the Government of Ecuador on the sad occasion of his death. He was a very distinguished colleague of many of us when, for more than 15 years, he served as his country's permanent representative.

Agenda item 8 (*continued*)

Adoption of the agenda and organization of work

Request for the reopening of agenda item 15 (c) (Election of a member of the International Court of Justice): note by the Secretary-General (A/49/861)

The President: In his note (A/49/861), the Secretary-General informs the General Assembly that a vacancy in the International Court of Justice has occurred as a result of the death of Judge Roberto Ago of Italy on 24 February 1995.

Judge Ago was elected a member of the Court as from 6 February 1979 and was re-elected as from 6 February 1988. His present term of office would have expired on 5 February 1997. In accordance with the terms of the Statute of the International Court of Justice, the General Assembly and the Security Council will therefore have to elect a member of the Court to serve for the remainder of the Judge's term, that is, until 5 February 1997.

Pursuant to Article 14 of the Statute of the Court, the Security Council, at its 3507th meeting, on 9 March 1995, adopted resolution 979 (1995). In that resolution, the Council decided that the election to fill the vacancy in the Court that had occurred as a result of the death of Judge Ago should take place on 21 June 1995, at a meeting of the Security Council and at a meeting of the General Assembly at its forty-ninth session.

In order to enable the General Assembly to take the required action, it will be necessary to reopen consideration of agenda item 15 (c).

May I take it that the General Assembly wishes to reopen consideration of sub-item (c) of agenda item 15, entitled "Election of a member of the International Court of Justice"?

It was so decided.

The President: In addition, I wish also to inform the Assembly of another vacancy in the Court resulting from the resignation of Judge Sir Robert Jennings of the United Kingdom of Great Britain and Northern Ireland, which will take effect on 10 July 1995. At its 3510th meeting, on 22 March 1995, the Security Council adopted resolution 980 (1995), by which it decided that the election to fill the vacancy should take place on 12 July 1995 at a meeting of the Security Council and at a meeting of the General Assembly at its forty-ninth session.

Request for the reopening of the consideration of sub-item (b) of agenda item 37 (Special economic assistance to individual countries or regions): letter from the Permanent Representative of Norway to the United Nations (A/49/866)

The President: In his letter dated 20 March 1995 and addressed to the President of the General Assembly, the Permanent Representative of Norway recalls resolution 49/21 B of 2 December 1994, in which the Secretary-General was requested to designate a United Nations agency to disburse voluntary contributions given by donors in light of the activities of the Ad Hoc Liaison Committee for salaries and other start-up costs of the Palestinian Police Force, for a period ending not later than the end of March 1995.

In the light of the positive experience with that arrangement to date and the difficult financial situation of the Palestinian Authority, Norway, as Chairman of the Ad Hoc Liaison Committee, believes that the arrangement should continue for some time.

The Permanent Representative of Norway further states that he has been instructed by his Government to seek an extension of the authorization given to the Secretary-General regarding the disbursement of salaries et cetera to the Palestinian Police Force. A draft resolution to that effect will be submitted shortly, and

Norway is engaged in a process of consultations with interested delegations on a proposed text.

Against this background, the Permanent Representative requests that consideration of agenda item 37, sub-item (b), entitled "Special economic assistance to individual countries or regions", be reopened.

May I take it that the General Assembly has no objection to reopening consideration of sub-item (b) of agenda item 37?

It is so decided.

I should also like to inform members that sub-item (b) of agenda item 37 will be considered at a later date, to be announced in the Journal.

Agenda item 42 (continued)

The situation in Central America: procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development.

Reports of the Secretary-General (A/49/857 and A/49/860)

Note by the Secretary-General (A/49/856 and Corr.1)

Letter from the Secretary-General to the President of the General Assembly and to the President of the Security Council (A/49/879)

Draft resolution (A/49/L.64)

Report of the Fifth Committee (A/49/871)

The President: I now call on the representative of Mexico to introduce draft resolution A/49/L.64.

Mr. Tello (Mexico) (*interpretation from Spanish*): On behalf of Colombia, Mexico, Norway, Spain, the United States and Venezuela, which have been joined as sponsors by Argentina, Austria, Belgium, Brazil, Canada, Chile, Costa Rica, Denmark, El Salvador, Finland, France, Germany, Greece, Guatemala, Guyana, Ireland, Italy, Luxembourg, the Netherlands, Nicaragua, Panama, Peru, Portugal, the Russian Federation, Sweden, Trinidad and Tobago and the United Kingdom, it is an honour for me to introduce the draft resolution contained in document A/49/L.64, entitled "United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala" (MINUGUA).

In approving the establishment of MINUGUA last September (resolution 48/267), the General Assembly was responding to the appeal contained in resolution 48/161, which encouraged the international community to provide assistance to the Guatemalan people in achieving their aspirations of peace, national reconciliation, democracy and development. It also expressed support for the negotiating process between the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) at a time when four major agreements had been signed. In particular, it took note of the explicit request of the parties to establish a verification mission.

The report submitted by the Secretary-General in document A/49/860 indicates that the status-of-mission agreement was approved last January and that on 28 February the Mission was fully deployed. It also notes that the Mission is currently developing projects together with various Guatemalan institutions and is setting up a long-term project for the structural reform of the administration of justice. These projects, as the Secretary-General notes, are essential to strengthen the capability of Guatemalan institutions.

Similarly, the report of the director of the Mission, which is brought to the attention of the Assembly by the Secretary-General in document A/49/856, states that among the aims achieved by MINUGUA are the establishment and normal functioning of bilateral working relations with the Government and the URNG; the signature of agreements on security arrangements with both parties; the establishment of close relations with the competent State organs on human rights; and ongoing and flexible contacts with other bodies and non-governmental organizations that have to do with human rights.

This clearly shows that MINUGUA is an effective tool for the international community to use in contributing to the efforts of the Guatemalan people to achieve peace. We believe that the presence of MINUGUA in Guatemala is important and should therefore continue. The draft resolution that we are introducing to the Assembly today authorizes the extension of the Mission's mandate for an additional six months, as recommended by the Secretary-General.

The draft welcomes the inauguration and full deployment of the Mission, and the support and cooperation provided to it by the Government of Guatemala and the URNG.

It invites the international community to increase its support for institution-building and cooperation projects with governmental and non-governmental organizations, intended to strengthen the Guatemalan system for the protection of human rights, in particular through voluntary contributions to the trust fund for the Guatemalan peace process being established by the Secretary-General.

It welcomes the report of the Secretary-General on the Mission, takes note of the report of the Director of the Mission on the first three months of the Mission's activities and calls upon the Government of Guatemala and the URNG to follow the recommendations of the Mission and to comply fully with their commitments under the Comprehensive Agreement on Human Rights.

The draft resolution also expresses concern that the peace negotiations slowed down during the second half of 1994 and that the target dates agreed by the parties for the conclusion of an agreement on a firm and lasting peace were not met. In this connection, the Assembly reiterates the great importance it attaches to the early conclusion of the agreement on a firm and lasting peace and urges the parties to make good on their commitment to give new momentum to the negotiating process.

Lastly, the draft resolution requests the Secretary-General to keep the General Assembly fully informed of the implementation of the said resolution.

We are convinced that extending the Mission's mandate provides the international community with a means of contributing to the efforts of the Guatemalan people to achieve reconciliation. It is a major drop for the dialogue and negotiations between the Government of Guatemala and the URNG towards concluding the definitive peace agreement for which the people of Guatemala have waited so long.

We welcome the fact that today, in Mexico City, the Government of Guatemala and the URNG are signing the agreement on the identity and rights of indigenous peoples. This is an event of particular importance as it renews in a tangible manner the political will of both parties to achieve a definitive peace agreement.

We trust that this draft resolution — the expression of the international community's commitment to the effort in support of the peace process in Guatemala — will be adopted unanimously by the General Assembly.

Mr. Ladsous (France) *(interpretation from French)*: I have the honour to speak on behalf of the European Union.

On 19 September 1994, the General Assembly established the Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA), for a period of six months. The Mission, which began operations on 21 November 1994, was fully deployed by 28 February 1995; thus, it started discharging — with limited manpower — all its functions just one month ago and, the report shows its presence on the ground since then has been most effective.

In signing the Comprehensive Agreement on Human Rights on 29 March 1994, the Guatemalan parties — the Government and the Unidad Revolucionaria Nacional Guatemalteca (URNG) — undertook to improve the human rights situation in Guatemala. The important thing now is for real efforts to be made in this area.

The European Union notes with regret that human rights violations have continued to occur since MINUGUA was established. MINUGUA is therefore making recommendations to the parties as a result — most of them addressed to the Government — incidentally which goes to show how much effort both sides still have to make. The European Union appeals to the parties to heed the observations that have been made to them in this context.

The European Union is aware that in Guatemala, as elsewhere, persistent human-rights violations have to do with the impunity those who commit them enjoy. That is why the plan is for the international community not only to monitor the situation on the ground but also to cooperate in strengthening the national institutions responsible for protecting human rights, and it is why MINUGUA has been given a mandate that enables it to play an active role in this area. If satisfactory results are to be achieved, the experiment must be continued, which is why the members of the European Union will vote in favour of renewing of MINUGUA's mandate for six months and why they are among the sponsors of the draft resolution just introduced just by the Ambassador of Mexico.

However, national reconciliation between all Guatemalans cannot come down to just the implementation of the only human rights agreement that has been signed so far, and here the European Union welcomes the fact that the Government of Guatemala and the URNG intend this very day to sign, in Mexico, an agreement on the identity and rights of indigenous peoples.

Nevertheless, the Secretary-General and his envoys to the negotiations — whose perseverance we here salute — must continue to urge the parties to conclude a set of agreements capable of ensuring an end to armed confrontation while laying the foundations for a lasting peace. The negotiations must therefore continue and make rapid progress towards achieving this objective.

The European Union believes that the minimum conditions for the United Nations to continue participating in the peace process have been met. It hopes that things will move ahead speedily and that positive results will be achieved before the elections that are soon to be held. It urges the parties to abide, to the extent possible, by the timetable set by the United Nations for concluding the negotiations now under way.

The situation in Central America has changed significantly in recent years: witness the progress in El Salvador that will soon make it possible for ONUSAL to withdraw. We hope that the dynamic of peace that has been established in this part of the Americas will benefit all the citizens of the region. Guatemalans for their part must not let this opportunity slip out of their grasp. We hope that they will indeed be able to put an end to their conflict so that they can move onwards along on the path of democracy and progress and towards national reconciliation and justice.

Mr. Cárdenas (Argentina) *(interpretation from Spanish):* We are happy to take this opportunity to emphasize the fundamental importance that the Government of the Argentine Republic attaches to the peace process in Central America in general and, more particularly, to the peace negotiations in Guatemala. Argentina is cooperating in and keeping its finger on the pulse of the peace process under way in our brother Republic, and expresses the hope that the timetable for the agreements still outstanding that was proposed by the Secretary-General and agreed between the Government and the Unidad Revolucionaria Nacional Guatemalteca (URNG) can be brought to a conclusion without further delay so that the process can start on the home straight towards Guatemala's peaceful and democratic reconstruction.

We should like to put on record our particular gratitude to the staff of MINUGUA, which has been fully deployed since the beginning of this month, for their efficient work.

We should also like to thank the Secretary-General for his comprehensive report. His recommendations and observations are a sound foundation for the Assembly to adopt the draft resolution before it now, and my delegation is honoured to sponsor it.

Mr. Gnehm (United States of America): Six months ago, the General Assembly unanimously adopted a resolution to establish the United Nations mission for the verification of human rights in Guatemala. My Government, as a friend to the Guatemalan peace process, is pleased to be a sponsor of the draft resolution extending MINUGUA's mandate for a further six months. We are in full agreement with the Secretary-General's view that success in implementing the agreement on human rights entered into by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG)

> "... can be expected to contribute positively to the negotiating process aimed at achieving a firm and lasting peace in Guatemala." *(A/49/856, para. 4)*

MINUGUA has achieved much in a short time. Both in its protection and verification of rights and in its important effort to fortify local institutions, MINUGUA has upheld high professional standards while maintaining openness to Guatemala and Guatemalans that has made a difference.

Under Leonardo Franco's able leadership, MINUGUA has opened offices in even the most remote areas of the country and has established the local and national connections necessary for effective operation. It has taken on difficult cases and worked assiduously to complete its mandate. The Government of Guatemala and the URNG have worked with MINUGUA to ensure its ability to implement that mandate. President de León's leadership has been important in this regard. Continued cooperation is imperative, both for the success of the mission and of the peace process. Both parties must continue this cooperation, opening doors to MINUGUA and providing all information required on past, current and future human rights matters that fall within MINUGUA's mandate. They must also continue to work with the United Nations moderator to conclude a final peace accord.

MINUGUA's frank report makes clear that numerous violations of basic human rights such as the right to life, individual liberty and the integrity and security of persons continue, and that human rights are not adequately protected in Guatemala. While commending the cooperation of the Government of Guatemala and URNG with MINUGUA, we urge that they follow up on the recommendations of the mission in all areas, and that they renew commitments and contribute to the comprehensive functioning of the rule of law in Guatemala.

The establishment of MINUGUA is the direct result of an accord between two parties to a peace process. Support for continuation beyond the end of its next mandate will depend on the commitment of the parties to advance that process. In that context, the United States welcomes the parties' conclusion of an accord on indigenous rights, which is being signed today in Mexico City. The achievement of this accord makes it clear that the parties remain committed to making progress towards a final peace, even in the difficult climate of the Guatemalan electoral year. The role of the United Nations as moderator in the process has given important impetus toward reaching this accord.

The "indigenous peoples" accord is a step, but it must be followed by more steps leading to the final accord. We call upon both parties to take specific measures to demonstrate their commitment to signing a comprehensive peace accord in August. The degree of progress in the process will be carefully measured by the international community before it again renews MINUGUA's mandate; with all the demands on its attention, the international community can lend institutional support only to cases where the local commitment remains clear and continuous.

Today is an important day for the Guatemalan peace process; the parties' commitment to progress, as shown by the signature of an additional accord, is complemented by our action here today in renewing the commitment of the international community to support MINUGUA. My Government calls upon both sides to ensure that the benefits of the peace process are brought home to the people of Guatemala by doing their best to lessen the impact of the internal conflict on the civilian population and by considering a cease-fire, which could be implemented either nationally or regionally.

Mr. Aass (Norway): The establishment and deployment of the human rights verification mission in Guatemala (MINUGUA) last fall marked a significant step forward in the peace process. A United Nations presence of that nature is giving renewed hope to the civilian sectors in Guatemala that peace, reconstruction and national reconciliation may soon become a reality.

Norway feels a special commitment to the peace process in Guatemala. It was in Oslo almost exactly five years ago that the agreement was reached that laid the foundation for the negotiations between the Government and the Unidad Revolucionaria Nacional Guatemalteca (URNG). However, the people of Guatemala are impatient to see progress in the long negotiating process. Norway is therefore very pleased to see that an agreement on the identity and rights of the indigenous peoples is being signed in Mexico City today.

This marks a very important and encouraging step in the ongoing peace process. Both the United Nations and the Group of Friends of the Guatemalan peace process are expecting that a final peace agreement will be reached before the upcoming presidential and parliamentary elections later this year. Social and economic progress, continued democratization and increased respect for human rights can become a reality only through an end to the armed conflict. The human rights situation has not improved much during the past year and the peace negotiations have not progressed as much as we would have liked. The Norwegian Government continues to feel serious concern in respect of the human rights situation. We therefore urge the parties to seize the opportunity of peace being offered to them by the United Nations and the friends of Guatemala.

Norway has been actively encouraging the peace process in Guatemala over the past couple of years. There is every reason to congratulate the United Nations on the leadership it has shown in the negotiations between the Government of Guatemala and the URNG. The United Nations brought new impetus to the peace process. The establishment and deployment of MINUGUA was a tangible expression of international society's solidarity with Guatemala and the Guatemalan people. It must be regarded as one of the most important steps taken in a confidence-building process. Norway therefore fully supports the Secretary-General's recommendation to extend MINUGUA for another period of six months: my Government is convinced that MINUGUA's presence is contributing to the improvement in the human rights situation both by making the democratic institutions in Guatemala more representative and, by serving as a confidence-building measure between the various sectors of society.

Mr. Yáñez-Barnuevo (Spain) (*interpretation from Spanish*): The representative of France has already spoken in this debate on behalf of the European Union. Obviously, my delegation fully concurs with his statement. I should also like to make some additional comments in Spain's dual capacity as a member of the Group of Friends of the Guatemalan peace process and a troop-contributor to the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemela (MINUGUA).

Six months ago, the Assembly established MINUGUA in its resolution 48/267. That resolution was adopted in response to the joint request by the Government of Guatemala and the Unidad Revolucionaria Nacional Guatemalteca (URNG) contained in the Comprehensive Agreement on Human Rights, which had been signed by both parties, that the United Nations should establish a Mission to verify the implementation of the Agreement even before any accord on a firm and lasting peace was signed. Although the United Nations thus demonstrated its commitment to the Guatemalan process, it nevertheless continued to urge the parties to conduct an energetic process of negotiations to achieve a firm and lasting peace as early as possible.

Since then, unfortunately, the peace process has not made the substantive progress we might have expected. The Secretary-General's report of 1 March (A/49/857) describes the circumstances prevailing in recent months that nearly put a halt to the negotiations. We are pleased, however, that the negotiations have restarted on the basis of the procedural proposals put to the parties by Under-Secretary-General Goulding on behalf of the Secretary-General on 17 February.

We trust that the new time-frame for the negotiations and the conclusion of the substantive and operational agreements, that are still outstanding, will this time prompt the Government and the URNG to move on quickly to the signing of a peace agreement and to the inclusion of the URNG in the political and institutional life of Guatemala. In any event, as the Secretary-General notes in his report, it may be difficult in the future for the United Nations to continue its current level of support for the peace process — at least as it stands now — if the parties do not clearly demonstrate their commitment to push on to the very end in a reasonably short time.

In this connection, we are happy that the Government of Guatemala and the URNG, in Mexico City, are this very day signing an agreement on the identity and rights of the indigenous peoples in the presence of representatives not only of the Secretary-General of the United Nations — who are therefore representing the Moderator too — but also of the countries in the Group of Friends. Similarly, the Guatemalan Assembly of Civil Society, also represented in Mexico today, will give both parties the first draft for the negotiations on the next round of issues: agrarian reform and socio-economic questions. There are positive developments in these areas which we hope see confirmed in the near future.

The Assembly has received two reports from the Secretary-General on MINUGUA's activities. In his report of 8 March (A/49/860), he notes that a status-of-mission agreement with the Guatemalan authorities has been satisfactorily concluded and that MINUGUA has been fully deployed both operationally and geographically. I should like to put on record Spain's participation in the military and police aspects of MINUGUA over and above the civil component; this bears witness to the Spanish Government's support for a peace process that has always been very close to our hearts and that we have tried to encourage and bolster to the best of our abilities.

The Secretary-General in his note of 1 March (A/49/856) transmitted to us the first report by the Director of MINUGUA, Mr. Leonardo Franco. We wish to thank him here for his vigilance and for his work at the head of MINUGUA. His report shows that there are aspects to the human rights situation in Guatemala that should concern the international community. Particularly serious are the repeated violations of the right to life and the pattern of impunity that appears to be typical of these and other serious human rights violations committed, and which would seem to show up serious shortcomings in the machinery for applying the law.

The Director of the Mission is preparing a set of recommendations, mostly addressed to the Government but not excluding the URNG. The ultimate objective of these recommendations is the compliance by both parties with the commitments they entered into in the Comprehensive Agreement on Human Rights, which MINUGUA was established to monitor.

The reform of the judicature and the Public Prosecutor's Office in Guatemala, the reorganization of the police and military apparatus — with a clear separation of powers — and reinforcing the civilian authority, particularly in rural areas, are at the heart of

the recommendations to the Government, as is the appeal to the URNG to abide by its commitments to refrain from intimidation and from sabotaging civilian facilities.

The implementation of these recommendations by the Guatemalan authorities and by the URNG is of the greatest importance in helping ensure that all citizens of Guatemala can enjoy their human rights and fundamental freedoms. It will also help establish a climate of greater confidence, which is essential for the success of the peace process.

It would be unfair not to recognize the efforts of the Guatemalan authorities to improve the human rights situation. What the international community wants is to support Guatemala's institutions and society in these efforts. To that end, we believe that the presence of MINUGUA is of the greatest importance as a stimulus for ensuring that the commitments undertaken by both parties in the Comprehensive Agreement are met and, in due course, for providing technical cooperation to ease the transition to a State that has all the necessary safeguards for the full observance of human rights. Technical advice from and monitoring by the Commission on Human Rights through the independent expert, Mrs. Monica Pinto, are other valuable tools at Guatemala's disposal.

Along with the other countries in the Group of Friends of the Guatemalan peace process, Spain joined in preparing draft resolution A/49/L.64, which we are also sponsoring; we do hope that the General Assembly will adopt it. The draft resolution would extend MINUGUA's mandate for another six months, as recommended by the Secretary-General in his 8 March report.

We hope and trust that MINUGUA's presence will go on contributing to the improvement in the human rights situation within the context of a peace process that, in coming months, should bring us closer to a stable and lasting peace in Guatemala.

Mr. Tejera-París (Venezuela) (*interpretation from Spanish*): Any peace process requires the parties to be committed to ending their conflict and to have the political will to negotiate the terms under which the peace is to be consolidated. In Guatemala, a promising stage has been reached. As a member of the Group of Friends of the Guatemalan peace process, Venezuela is gratified at this.

There are two pillars to the peace process now: the Comprehensive Agreement on Human Rights, and the agreement on the identity and rights of indigenous peoples being signed today in Mexico. Both are critical for consolidating peace without weakening the Guatemalan State.

The United Nations has provided effective support for the negotiations and for the overall climate of détente. The Moderator has played a critical, effective role; he has carried out his duties with discretion and competence and has earned the good will of the parties. This has certainly been a positive experience for the United Nations and reaffirms the importance of multilateral action.

The establishment and deployment of the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA) played a key role in the critical area of building confidence. The report from its Director, before the Assembly today indicates the magnitude and complexity of the problems at the root of the long-standing conflict in Guatemalan society.

The Organization has responded to the opening created by the signing of the Framework Agreement, by offering modes of participation consistent with the circumstances and aimed at building confidence. This commitment must have continuity, and that is what is addressed by draft resolution A/49/L.64, now before the Assembly with the sponsorship of the Group of Friends.

In Guatemala, many of the lessons learned by the United Nations with respect to the settlement of disputes are being put to the test by circumstances. One of these is the question of how indispensable is the determined political will of parties to overcome their differences. That is why Venezuela is pleased that the negotiations have resumed and that the parties have in general responded positively to the revised set of proposals submitted by the Secretary-General. If February's agreement on an adjusted timetable is implemented, Guatemala will have the foundations for being at peace with itself by the middle of this year.

This being an election year in Guatemala, it provides a unique opportunity for many of the complex issues underlying the armed conflict to be resolved by political means. Violence and human rights violations must cease. All possible efforts must be made to build confidence and encourage the talks on the best interests of the Guatemalan nation, within the established timetable.

My country has been unwavering in its assistance towards peace and economic development in Central America, and enthusiastically supports the draft resolution before the Assembly. My delegation fervently hopes that the reality will live up to the written word, and that the nascent peace and consensus will be consolidated and make unfaltering progress.

The President: We have heard the last speaker in the debate on this item.

The Assembly will now take a decision on draft resolution A/49/L.64, entitled "United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala".

I should like to announce that Belize has become a sponsor of the draft resolution.

The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/49/871.

May I take it that the General Assembly decides to adopt draft resolution A/49/L.64?

The draft resolution was adopted (resolution 49/236).

The President: I call now on the representative of Guatemala.

Mr. Castellanos-Carrillo(Guatemala)*(interpretation from Spanish):* On behalf of my delegation, it is my pleasure to address the General Assembly on "The situation in Central America: procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development", especially now that we have just adopted, by consensus, a resolution that concerns the peace process in my country — which is taking place under the Secretary-General's auspices — the progress in meeting the commitments assumed under the Comprehensive Agreement on Human Rights, and the extension by six months of the mandate of the United Nations Mission for the Verification of Human Rights and of Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala (MINUGUA).

We have read with care the Secretary-General's reports (A/49/857 and A/49/860) on MINUGUA's activities and on the activities now under way to help strengthen and consolidate democracy. We have no hesitation in affirming that MINUGUA's work has been positive: significant steps have been taken during its first three months of intense work which we are sure will become the more significant as the negotiations proceed towards the final achievement of a peace agreement and the end of the armed conflict. The attainment of this objective, so deeply desired by the Guatemalan people and by our Central American brothers, would put an end to one of the conflicts in the so-called Central American crisis while at the same time making it easier to make progress in building a region of peace, freedom, democracy and development.

Allow me to reiterate that the Government of Guatemala is aware of its duties and responsibilities and will therefore make every effort to fulfil the commitments it has entered into, in accordance with the will and the wishes of the people of Guatemala, so that we can devote our resources and talents to consolidating democracy, to reconciliation and to development within a context of full observance of human rights.

I would like to express the deep gratitude of the people and the Government of Guatemala for the hard work the Secretary-General and his representatives have done in overcoming obstacles and opening the way towards the final goals of our peace process. We should also like to express our gratitude to Colombia, Spain, Mexico, Norway, the United States of America and Venezuela which, in their capacity as Friends of the peace process, have consistently provided support, recommendations and resources for its success.

We should also like to express our appreciation to Brazil and Sweden for their contributions to facilitating MINUGUA's work and to the international community at large for the solidarity and the diplomatic and political support it has so generously offered us towards the achievement of a negotiated solution to the Guatemalan crisis.

In expressing once again our gratitude, I wish to point out that that international support and cooperation are very important in supplementing the national efforts to root out and eliminate the factors that gave rise to this crisis.

The President: We have thus concluded this stage of our consideration of agenda item 42.

Introduction of reports of the Fifth Committee

The President: The General Assembly will now consider the reports of the Fifth Committee on agenda items 107, 113, 118 (a), 128, 132 (a) and 162. I request the Rapporteur of the Fifth Committee to introduce the reports of the Fifth Committee in one intervention.

Mr. Djacta (Algeria), Rapporteur of the Fifth Committee (*interpretation from French*): I have the honour today to introduce to the General Assembly the reports of the Fifth Committee concerning agenda items 42 and 107, 113, 118 (a), 128, 132 (a) and 162.

The recommendation of the Fifth Committee concerning agenda item 107, entitled "Programme budget for the biennium 1994-1995", is in paragraph 12 of report A/49/822/Add.1. It was adopted by the Fifth Committee without a vote.

The Committee's recommendations on agenda item 113, entitled "Human resources management", are in paragraphs 10 and 11 of report A/49/802/Add.1. These recommendations also were adopted by the Fifth Committee without a vote.

The report of the Fifth Committee on sub-item (a) of agenda item 118, entitled "Financing of the activities arising from Security Council resolution 687 (1991): United Nations Iraq-Kuwait Observation Mission", is in document A/49/877. In paragraph 6, the Fifth Committee recommends to the General Assembly the adoption of a draft decision whereby the General Assembly, pending consideration of the report of the Secretary-General on the United Nations Iraq-Kuwait Observation Mission and the related report of the Advisory Committee on Administrative and Budgetary Questions, would approve, provisionally, an amount of $12,000,000 net for the maintenance of the Mission for the period from 1 April to 30 June 1995, including the two thirds of that amount to be funded from voluntary contributions from the Government of Kuwait, should the Security Council decide to continue the Mission.

The Fifth Committee also recommends that the General Assembly authorize the Secretary-General to enter into commitments to spend an amount of $4,000,000 net representing one third of the cost of maintenance of the Mission for the period from 1 April to 30 June 1995, in addition to the $8,000,000 net to be made available by the Government of Kuwait. This draft decision was adopted by the Fifth Committee without a vote.

Part II of the Fifth Committee's report on agenda item 128, entitled "Financing the United Nations Mission in Haiti", is contained in document A/49/818/Add.1. In paragraph 6, the Fifth Committee recommends that the General Assembly adopt the draft resolution contained therein. The draft resolution was adopted by the Committee without a vote.

The Committee's recommendation for sub-item (c) of agenda item 132, entitled "Administrative and Budgetary Aspects of the Financing of the United Nations Peace-Keeping Operations", are to be found in paragraph 5 of document A/49/803/Add.2 and in paragraph 5 of document A/49/803/Add.3. Those recommendations were adopted by the Fifth Committee without a vote.

Finally, concerning item 162, entitled "Financing of the United Nations Mission of Observers in Tajikistan", paragraph 6 of the report of the Fifth Committee contained in document A/49/878 recommends to the General Assembly the adoption of the draft resolution contained therein, which was adopted by the Committee without a vote.

The President: I thank the Rapporteur of the Fifth Committee.

If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Fifth Committee which are before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote.

The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that, under paragraph 7 of decision 34/401, the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting, unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Fifth Committee.

Agenda item 107 *(continued)*

Programme budget for the biennium 1994-1995: report of the Fifth Committee (A/49/822/Add.1)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 12 of Part II of its report. The draft resolution is entitled "Other questions relating to the programme budget for the biennium 1994-1995".

The Fifth Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/237).

The President: We have thus concluded this stage of our consideration of agenda item 107.

Agenda item 113 *(continued)*

Human resources management: report of the Fifth Committee (A/49/802/Add.1)

The President: The Assembly has before it a draft resolution recommended by the Fifth Committee in paragraph 10 of Part II of its report and two draft decisions recommended by the Fifth Committee in paragraph 11 of Part II of the same report.

The Assembly will first take a decision on the draft resolution contained in paragraph 10 of Part II of the report.

The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/238).

The President: The Assembly will now take a decision on the two draft decisions contained in paragraph 11 of Part II of the report.

Draft decision I is entitled "Convention on the Privileges and Immunities of the United Nations".

The Fifth Committee adopted draft decision I without a vote. May I take it that the Assembly wishes to do the same?

Draft decision I was adopted.

The President: Draft decision II, entitled "Composition of the Secretariat", was adopted by the Fifth Committee without a vote. May I take it that the Assembly wishes to do likewise?

Draft decision II was adopted.

The President: We have thus concluded this stage of our consideration of agenda item 113.

Agenda item 118

Financing of the activities arising from Security Council resolution 687 (1991)

(a) United Nations Iraq-Kuwait Observation Mission: report of the Fifth Committee (A/49/877)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 6 of its report.

The draft decision was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft decision was adopted.

The President: We have thus concluded this stage of our consideration of sub-item (a) of agenda item 118.

Agenda item 128 *(continued)*

Financing of the United Nations Mission in Haiti: report of the Fifth Committee (A/49/818/Add.1)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of Part II of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/239).

The President: We have thus concluded this stage of our consideration of agenda item 128.

Agenda item 132 *(continued)*

Administrative and budgetary aspects of the financing of the United Nations peace-keeping operations

(a) Financing of the United Nations peace-keeping operations: reports of the Fifth Committee (Parts III and IV) (A/49/803/Add.2 and Add.3)

The President: We shall turn first to Part III of the report (A/49/803/Add.2).

The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 5 of Part III of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/233 B).

The President: We next turn to Part IV of the report of the Fifth Committee on sub-item (a) of agenda 132, entitled "Financing of the United Nations peace-keeping operations".

The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 5 of Part IV of its report (A/49/803/Add.3).

The Fifth Committee adopted the draft decision without a vote. May I take it that the Assembly wishes to do likewise?

The draft decision was adopted.

The President: We have thus concluded this stage of our consideration of sub-item (a) of agenda item 132.

Agenda item 162

Financing of the United Nations Mission of Observers in Tajikistan: report of the Fifth Committee (A/49/878)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of its report.

The draft resolution was adopted by the Fifth Committee without a vote. May I consider that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/240).

The President: We have thus concluded this stage of our consideration of agenda item 162.

The meeting rose at 12 p.m.

United Nations A/49/PV.100

General Assembly

Forty-ninth Session

Official Records

100th Meeting
Thursday, 6 April 1995, 10 a.m.
New York

President: Mr. Essy ..... (Côte d'Ivoire)

In the absence of the President, Mr. Yassin (Sudan) took the Chair.

The meeting was called to order at 10.40 a.m.

Introduction of reports of the Fifth Committee

The President: This morning, the General Assembly will consider the reports of the Fifth Committee on agenda items 106, 107, 113, 119, 127 and 130, and 146.

I request the Rapporteur of the Fifth Committee to introduce the reports of the Fifth Committee in one intervention.

Mr. Djacta (Algeria), Rapporteur of the Fifth Committee *(interpretation from French)*: I have the honour today to introduce to the General Assembly the reports of the Fifth Committee on agenda items 106, 107, 113, 119, 127 and 130, and 146, which were considered by the Committee during the first part of the resumed forty-ninth session.

On agenda item 106, entitled "Programme budget for the biennium 1992-1993", the recommendation of the Fifth Committee is contained in paragraph 5 of its report (A/49/883). The Fifth Committee adopted that recommendation without a vote.

On agenda item 107, entitled "Programme budget for the biennium 1994-1995", the recommendation of the Fifth Committee is contained in paragraph 15 of Part III of its report (A/49/822/Add.2). The Fifth Committee adopted that recommendation without a vote.

On agenda item 113, entitled "Human resources management", the recommendation of the Fifth Committee is contained in paragraph 6 of Part III of its report (A/49/802/Add.2). The Fifth Committee adopted that recommendation without a vote.

On agenda item 119, entitled "Financing of the United Nations Mission for the Referendum in Western Sahara", the recommendation of the Fifth Committee is contained in paragraph 5 of Part II of its report (A/49/808/Add.1). The Fifth Committee adopted that recommendation without a vote.

On agenda items 127, entitled "Financing of the United Nations Observer Mission Uganda-Rwanda", and 130, entitled "Financing of the United Nations Assistance Mission for Rwanda", the recommendation of the Fifth Committee is contained in paragraph 6 of Part II of its report (A/49/687/Add.1). The Fifth Committee adopted that recommendation without a vote.

Lastly, on agenda item 146, entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991", the recommendation of the Fifth Committee is contained in paragraph 8 of Part II of its report (A/49/810/Add.1). The Fifth Committee adopted that recommendation without a vote.

95-85254 (E)

This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Section, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

The President: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Fifth Committee which are before the Assembly today.

It was so decided.

The President: Statements will therefore be limited to explanations of vote.

The positions of delegations regarding the recommendations of the Fifth Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that, under paragraph 7 of decision 34/401, the General Assembly agreed that:

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, i.e., either in the Committee or in plenary meeting unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I remind delegations that, also in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Fifth Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Fifth Committee.

Agenda item 106

Programme budget for the biennium 1992-1993: report of the Fifth Committee (A/49/883)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 5 of its report.

The draft decision was adopted by the Committee without a vote. May I consider that the General Assembly wishes to do the same?

The draft decision was adopted.

The President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 106?

It was so decided.

Agenda item 107 ***(continued)***

Programme budget for the biennium 1994-1995: report of the Fifth Committee (Part III) (A/49/822/Add.2)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 15 of Part III of its report.

The Committee adopted the draft decision without a vote. May I take it that the General Assembly wishes to do the same?

The draft decision was adopted.

The President: We have thus concluded this stage of our consideration of agenda item 107.

Agenda item 113 ***(continued)***

Human resources management: report of the Fifth Committee (Part III) (A/49/802/Add.2)

The President: The Assembly will now take a decision on the draft resolution recommended by the Fifth Committee in paragraph 6 of Part III of its report.

The draft resolution, entitled "Payment of repatriation grant to staff members living in their home country while stationed at duty stations located in another country", was adopted by the Committee without a vote. May I consider that the General Assembly wishes to do the same?

The draft resolution was adopted (resolution 49/241).

The President: We have thus concluded this stage of our consideration of agenda item 113.

Agenda item 119 ***(continued)***

Financing of the United Nations Mission for the Referendum in Western Sahara: report of the Fifth Committee (Part II) (A/49/808/Add.1)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 5 of Part II of its report.

The draft decision was adopted by the Committee without a vote. May I take it that the General Assembly wishes to do the same?

The draft decision was adopted.

The President: We have thus concluded this stage of our consideration of agenda item 119.

Agenda items 127 ***(continued)*** **and 130** ***(continued)***

Financing of the United Nations Observer Mission Uganda-Rwanda: report of the Fifth Committee (Part II) (A/49/687/Add.1)

Financing of the United Nations Assistance Mission for Rwanda: report of the Fifth Committee (Part II) (A/49/687/Add.1)

The President: The Assembly will now take a decision on the draft decision recommended by the Fifth Committee in paragraph 6 of Part II of its report.

The Committee adopted the draft decision without a vote. May I consider that the General Assembly wishes to do the same?

The draft decision was adopted.

The President: We have thus concluded this stage of our consideration of agenda items 127 and 130.

Agenda item 146 ***(continued)***

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991: report of the Fifth Committee (Part II) (A/49/810/Add.1)

The President: The Assembly will now take a decision on the draft decision recommended for adoption by the Fifth Committee in paragraph 8 of Part II of its report.

May I take it that the General Assembly wishes to adopt the draft decision?

The draft decision was adopted.

The President: The General Assembly has thus concluded this stage of its consideration of agenda item 146.

The meeting rose at 10.55 a.m.